

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TAMMY EMERSON,)	
)	
Plaintiff,)	
)	NO. 3:22-cv-00095
v.)	JUDGE RICHARDSON
)	
WYNDHAM VACATION RESORTS,)	
INC.,)	
)	
Defendant.)	
)	

ORDER

On March 13, 2022, Defendant filed a Motion to Compel Arbitration. (Doc. No. 9). Plaintiff responded to that motion and stated that she was “without a sufficient legal basis to oppose” it. (Doc. No. 12). Consequently, on May 11, 2022, Defendant filed a “Motion for Entry of Order Granting Motion to Compel Arbitration” (Doc. No. 13, “Motion”), which included a proposed order. (Doc. No. 13-1, “Proposed Order”). The Motion noted that no response had been received from Plaintiff as to the Proposed Order. That same day, Plaintiff’s counsel contacted the Courtroom Deputy and asked that the Court not yet enter Defendant’s Proposed Order. On May 17, 2022, Defendant’s counsel contacted the Courtroom Deputy, stating that the Parties had conferred and come to an agreement on a revised proposed order granting the Motion to Compel Arbitration. Defendant’s counsel provided the Court Deputy with the revised proposed order at that time but did not file it on the docket.

Defendant’s Motion remains pending, though it now appears to be moot in that the Court does not need to “compel” arbitration inasmuch as Plaintiff is willing to go to arbitration voluntarily pursuant to the parties’ agreement. Accordingly, the Motion (Doc. No. 13) is **DENIED**

without prejudice as moot, and Defendant instead may file the revised proposed agreed order sending this case to arbitration, together with an unopposed or joint motion to enter such order.

IT IS SO ORDERED.



ELI RICHARDSON
UNITED STATES DISTRICT JUDGE